

HUMAN SERVICES DEPARTMENT[441]

Notice of Intended Action

Proposing rule making related to home health agency reimbursement and providing an opportunity for public comment

The Human Services Department hereby proposes to amend Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 249A.4.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code section 249A.4 and 2018 Iowa Acts, Senate File 2418, section 39.

Purpose and Summary

This proposed amendment adjusts home health agency (HH) low utilization payment adjustment (LUPA) rates to reflect approximately \$1 million of additional state appropriations for reimbursement in accordance with 2018 Iowa Acts, Senate File 2418, section 39.

This amendment will increase home health agency provider rates.

Fiscal Impact

This rule making has a fiscal impact to the State of Iowa of \$100,000 annually or \$500,000 over five years. This change was authorized in 2018 Iowa Acts, Senate File 2418, section 39: home health reimbursement adjustment to approximate an increase of \$1 million in state dollars. The legislation indicates a July 1, 2018, effective date. The additional cost to the State is budget-neutral since Senate File 2418 provides an appropriation for this change. The increase will apply to both fee-for-service and managed care units.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to rule 441—1.8(17A,217).

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on August 21, 2018. Comments should be directed to:

Harry Rossander
Bureau of Policy Coordination
Department of Human Services
Hoover State Office Building, Fifth Floor
1305 East Walnut Street
Des Moines, Iowa 50319-0114
Email: policyanalysis@dhs.state.ia.us

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rule making may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Amend subrule **79.1(2)**, provider category “Home health agencies,” as follows:

<u>Provider category</u>	<u>Basis of reimbursement</u>	<u>Upper limit</u>
Home health agencies		
1. Skilled nursing, physical therapy, occupational therapy, speech therapy, home health aide, and medical social services; home health care for maternity patients and children	Fee schedule. See 79.1(26). For members living in a nursing facility, see 441—paragraph 81.6(11)“r.”	Effective 7/1/16 <u>7/1/18</u> : Medicare LUPA rates in effect on 6/30/16 <u>6/30/18</u> plus a 2.93 <u>3</u> % increase.
2. and 3. No change.		